IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

FRIDAY, THE 16TH MARCH 2007 / 25TH PHALGUNA 1928

Bail Appl..No. 1519 of 2007(I)

CC.30/2002 of J.M.F.C.-I,ATTINGAL
CRIME NO.40/01 OF CHIRAYINKEEZH POLICE STATION

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: PETITIONER/10TH ACCUSED

VINOD,S/O.ASOKAN,PANAYILTHITA VEEDU,
NERUKADAVU,PERUMKUZHY DESOM,AZHOOR VILLAGE,
TRIVANDRUM DISTRICT.

BY ADV. SRI.M.DINESH

RESPONDENTS: RESPONDENTS/COMPLAINANT

STATE OF KERALA REPRESENTED BY PUBLIC
PROSECUTOR HIGH COURT OF KERALA,ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 16/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

B.A. No. 1519 OF 2007 D

Dated this the 16th day of March, 2007

O R D E R

Petitioner, who is the 10th accused in Crime No.40/01 of Chirayinkeezh Police Station for offences punishable under sections 143, 147, 148, 447, 427 and 380 read with section 149 IPC, seeks anticipatory bail.

2. Consequent on the non-appearance of the petitioner in C.C.No.39/02 on the file of the JFCM-I, Attingal, the case against him was refiled as C.C.No.865/05. Non-bailable warrants of arrest are pending against the petitioner. Anticipatory bail cannot be granted to nullify the process issued by a court of competent jurisdiction. There is no reason why the petitioner should not surrender before the Magistrate concerned and seek regular bail. Accordingly, if the petitioner surrenders before the Magistrate concerned and files an application for regular bail, within two weeks from today, the same shall be considered and disposed of, preferably on the same date on which it is filed, after examining the explanation offered by the petitioner for his previous non-appearance.

This application is disposed of as above.

(V. RAMKUMAR, JUDGE)

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